

JC20 Rec'd PTO 10 JUN 2005

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88489

Yasushi KUBOTA, et al.

Appln. No.: Based on PCT/JP03/15811

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: June 10, 2005

Examiner: Unknown

For: METHOD FOR PRODUCING BUTTER MILK-RELATED DAIRY PRODUCTS AND  
PROCESSED MILK PRODUCTS HAVING GOOD FLAVOR

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: Based on PCT/JP03/15811

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filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/JP03/15811 dated March 30, 2004), together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office. Japanese Patent Number 3091752 is cited and discussed on page 6 of the specification in the subject application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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WASHINGTON OFFICE

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Date: June 10, 2005

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| Substitute for Form 1449 A & B/PTO  |   |    |   | Application Number <b>2005-38298</b><br>Confirmation Number Unknown<br>Filing Date June 10, 2005<br>First Named Inventor Yasushi KUBOTA<br>Art Unit Unknown<br>Examiner Name Unknown<br>Attorney Docket Number Q88489 |  |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br>(use as many sheets as necessary) |   |    |   |   |  |
| Sheet   | 1 | of | 1 |   |  |

## U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|--------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|---|
|                    |                       | Number          | Kind Code <sup>2</sup><br>(if known) |                                |   |
|                    |                       | US              |                                      |                                |   |
|                    |                       | US              |                                      |                                |   |
|                    |                       | US              |                                      |                                |   |
|                    |                       | US              |                                      |                                |   |
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|                    |                       | US              |                                      |                                |   |
|                    |                       | US              |                                      |                                |   |

## FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document   |                     |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Translation <sup>6</sup> |
|--------------------|-----------------------|---------------------------|---------------------|--------------------------------------|--------------------------------|---|--------------------------|
|                    |                       | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |                                |   |                          |
| /LW/               |                       | EP                        | 1 082 907           | A1                                   | 03-14-2001                     | MEIJI MILK PRODUCTS COMPANY LIMITED             |                          |
| /LW/               |                       | JP                        | 10-295341           | A                                    | 11-10-1998                     | MEIJI MILK PRODUCTS CO LTD                      |                          |
| /LW/               |                       | JP                        | 2003-144045         | A                                    | 05-20-2003                     | MORINAGA MILK INDUSTRY CO LTD                   |                          |
| /LW/               |                       | JP                        | 9-266757            | A                                    | 10-14-1997                     | SHOW BRAND MILK PRODUCTS CO LTD                 |                          |
| /LW/               |                       | JP                        | 7-236451            | A                                    | 09-12-1995                     | KAO CORP  |                          |
| /LW/               |                       | SU                        | 512753              |                                      | 05-05-1976                     | BUTTER CHEESE MFR                               |                          |
| /LW/               |                       | JP                        | 3091752             | B1                                   | 09-25-2000                     |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
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## NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation <sup>6</sup> |
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| Examiner Signature | /Leslie Wong/ | Date Considered | 05/27/2008 |
|--------------------|---------------|-----------------|------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.